

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

<p>JACKSON COUNTY EMPLOYEES’ RETIREMENT SYSTEM, individually and on behalf of all others similarly situated,</p> <p>Plaintiff,</p> <p>v.</p> <p>CARLOS GHOSN, GREG KELLY, NISSAN MOTOR CO., LTD., HIROTO SAIKAWA, HIROSHI KARUBE, and JOSEPH G. PETER,</p> <p>Defendants.</p>	<p>Civil Action No. 3:18-cv-01368</p> <p><u>CLASS ACTION</u></p> <p>Judge William L. Campbell, Jr. Magistrate Judge Alistair E. Newbern</p>
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**MOTION OF DEFENDANT JOSEPH G. PETER FOR JUDGMENT ON THE
PLEADINGS**

Defendant Joseph G. Peter (“Mr. Peter”) respectfully moves this Court pursuant to Federal Rule of Civil Procedure 12(c) for judgment on the pleadings.

In support of this Motion, Mr. Peter submits the accompanying Memorandum of Law demonstrating that judgment in Mr. Peter’s favor is warranted because (i) with respect to Count I (violation of Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5) Plaintiffs have not pled specific facts giving rise to an inference of scienter as to Mr. Peter that is at least as strong as the non-culpable inference supported by the Securities and Exchange Commission’s (“SEC’s”) public exoneration of Mr. Peter and the SEC’s findings that Mr. Peter himself was deceived in connection with the scheme alleged in the Amended Complaint; and (ii) with respect to Count II (violation of Section 20(a) of the Exchange Act) Plaintiffs have failed to plead specific facts demonstrating that Mr. Peter culpably participated in any alleged primary violation of Section 10(b) and Rule 10b-5.

WHEREFORE, for all of the reasons set forth in this Motion and the accompanying Memorandum of Law, Mr. Peter respectfully requests that this Court grant judgment on the pleadings in his favor on all claims asserted against him.

Dated: March 5, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed and served electronically upon the following via the Court's ECF system on this 5th day of March, 2021:

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